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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/059,682 | 01/29/2002 | Mario E. Bran | VERTE.076A | 5570 |
| 34132 | 7590 | 03/10/2005 | | EXAMINER |
| COZEN O'CONNOR, P.C. 1900 MARKET STREET PHILADELPHIA, PA 19103-3508 | | | STINSON, FRANKIE L | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1746 | |

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/059,682 | BRAN | |
| | Examiner | Art Unit | |
| | FRANKIE L. STINSON | 1746 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 January 0205.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2,4-6 and 8-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 11-20 is/are allowed.
- 6) Claim(s) 1,2,4-6 and 9 is/are rejected.
- 7) Claim(s) 8,10 and 25 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2 and 4-6, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by either Japan 4-25012 (Japan'012) or Japan 2000-21840 Japan'840).

Re claim 1, Japan'012 is cited disclosing an assembly for cleaning a thin substrate comprising:

a transmitter (7) positioned above the substrate where a meniscus if liquid is formed between the substrate and transmitter;

a transducer (6) coupled to the transmitter to create a transmission path from the transducer through the substrate;

and at least one of (1) a gap (spacing between the transmitter and substrate) in the transmission path between the transducer and end face of the transmitter, and (2) a recess in the end of the transmitter.

Japan'840 is cited disclosing an assembly for cleaning a thin substrate comprising:

a transmitter (9, 10) positioned above the substrate where a meniscus if liquid is formed between the substrate and transmitter;

a transducer (8) coupled to the transmitter to create a transmission path from the transducer through the substrate;

and at least one of (1) a gap (spacing between the transmitter and substrate) in the transmission path between the transducer and end face of the transmitter, and (2) a recess in the end of the transmitter. Re claims 2 and 4, Japan'012 and Japan'840 disclose the alignment. Re claims 5 and 6, Japan'012 and Japan'040 disclose the liquid source/dispenser.

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 1 above, and further in view of Bergman 2002/006646.

Claim 9 defines over the applied prior art only in the recitation of the rod shaped transmitter. Bergman is cited disclosing the rod shaped transmitter (44) as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the transmitter to be rod shaped as taught by Bergman, for the purpose of concentrating the sonic energy.

4. Claims 1, 2, 4-6 and 9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bergman (2002/0066464), Verhaverbeke (U. S. Pat. No. 6,524,940), Nakamura et al. (U. S. Pat. No. 6,265,323) or Japan 2001-87725 (Japan'725). Re claim 1, the applied prior is cited disclosing an assembly for cleaning a thin substrate comprising:

a transmitter (44 in Bergman, 202 in Verhaverbeke, see paragraph 0094 in Nakamura and "VF" in Japan'7257) positioned above the substrate where a meniscus if liquid is formed between the substrate and transmitter;

a transducer (no shown in Bergman, 202 in Verhaverbeke, not shown in Nakamura and 214 in Japan'725) coupled to the transmitter to create a transmission path from the transducer through the substrate;

and at least one of (1) a gap (spacing between the transmitter and substrate) in the transmission path between the transducer and end face of the transmitter, and (2) a recess in the end of the transmitter. Re claims 2 and 4, Japan'012 and Japan'040 discloses the alignment. Re claims 5 and 6, Japan'012 and Japan'040 disclose the liquid source/dispenser. Re claim 9, Bergman discloses the rod shaped transmitter.

5. Claims 8, 10 and 25 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 11-20 stand allowed.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Perry et al., Tomita et al., Higashi, Nakamura et al. Japan'369, Koretsky et al., Liang et al., Oka et al., Lauerhaas et al. and Shinbara et al., note the cleaning means.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is

(572) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746